

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

The claims currently pending in this application are Claims 1-4, 6, 7 and 16-30. Claims 1, 17 and 26 are the only independent claims.

The most recent Official Action maintains the rejection of independent Claims 1, 17 and 26, and various dependent claims, based on the disclosure in U.S. Patent No. 6,113,627 to *Jang*. Considering the comments in the most recent Official Action, it appears the Examiner may have overlooked features recited in the independent claims defining the stent at issue here.

As explained in the response filed on April 27, 2006, independent Claim 1 recites, in combination with the other features, that the plurality of waves comprising each waved connecting member includes a plurality of waves positioned between portions of a single one of the waved elements. Thus, as illustrated in Fig. 2, each of the waved connecting members 121 includes a plurality of waves 121a, 121b positioned between portions of a single one of the waved elements 111.

Jang discloses a stent that includes a plurality of axially arranged annular member 32 connected to one another by connectors 44. The comments in the Official Action point out that the connectors 44 in *Jang* correspond to the claimed waved connecting member. However, these connectors 44 do not include a plurality of waves positioned between portions of a single one of the waved elements. It is noted in this regard that these waves positioned between portions of a single one of the waved elements are in addition to the wave that is in the clearance between adjacent annular expanding members.

For explanatory purposes, attached is a copy of Fig. 4b of *Jang*, annotated to include the interpretation set forth on page three of the Official Action. Taking into account the Examiner's interpretation of the "Largest Wave" and the "Second Wave," it clearly cannot be said that the connector 44 in *Jang* includes, in addition to the "Largest Wave," plural waves positioned between portions of a single one of the waved elements. At best, only a part of one wave (i.e., the part that is cross-hatched near reference numeral 70' in the attached annotated copy of Fig. 4b of *Jang*) is positioned between portions of a single one of the waved elements. Thus, Claim 1 cannot be anticipated by the disclosure in *Jang*.

Independent Claims 17 and 26 are similarly distinguishable. Claim 17 recites the first and second annular expanding members that are positioned immediately adjacent one another in the axial direction of the stent, and further recites that a plurality of waves forming each of at least two of the waved connecting members are positioned between the substantially linear segments of the first annular expanding member. It is understood from the Official Action that the noted portions of *Jang's* stent shown on the attached annotated copy of Fig. 4b are interpreted as corresponding to the claimed substantially linear segments of the first annular expanding member. Once again though, it is readily apparent that plural waves of the connector 44 are not positioned between such segments of the first annular expanding member as claimed.

Similarly, independent Claim 26 recites that a plurality of waves forming each of at least two of the waved connecting members are positioned between the substantially linear segments of the second annular expanding member. Once again, this structure is not disclosed in *Jang*.

The comments on page five of the Official Action point out that "the phrase 'each waved connecting member includes a plurality of waves' does not provide enough structural limitation to overcome the rejections under said reference." The Official Action goes on to note that this language "does not define the arrangement of the waves, but merely states the [sic-that] it includes a plurality of waves." Once again, it appears the Examiner may have overlooked the language in the independent claims.

Independent Claim 1 does not merely state that each of the waved connecting members includes a plurality of waves. Rather, as noted above, Claim 1 recites that the waves comprising each wave connecting member include a plurality of waves positioned between portions of a single one of the waved elements. This claim thus clearly recites that there are a plurality of waves (forming each of the connecting members) positioned between portions of a single one of the waved elements. Similarly, Claims 17 and 26 recite that the waves forming two of the waved connecting members include a plurality of waves positioned between the substantially linear segments of the first (second) annular expanding member. Thus, contrary to the observation in the Official Action, the language in the independent claims does define the arrangement of the waves -- the waves are positioned between portions of a single one of the waved elements or are positioned between the substantially linear segments of the first/second annular expanding member.

To the extent the Examiner continues to believe that the disclosure in *Jang* is relevant to the independent claims at issue here, the Examiner is kindly asked to provide a detailed explanation of how, according to the interpretation in the Official Action, the "Second Wave" of the connector 44 disclosed in *Jang* includes a plurality

of waves positioned between portions of a single one of the waved elements or between substantially linear segments of one of the annular expanding members.

Withdrawal of the rejections of record and allowance of this application are earnestly solicited.


Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By:


Matthew L. Schneider
Registration No. 32814

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620

Figure-4b

